

## § 401.75

Mar. 17, 2005; 71 FR 5607, Feb. 2, 2006; 79 FR 12661, Mar. 6, 2014]

### § 401.75 Payment of tolls.

(a) Every toll invoice shall be paid in Canadian funds within forty-five days after the vessel enters the Seaway, and any adjustment of the amount payable shall be provided for in a subsequent invoice.

(b) Tolls established by agreement between Canada and the United States, and known as the *St. Lawrence Seaway Schedule of Tolls*, shall be paid by pleasure crafts with prepaid tickets purchased in Canadian funds using credit card ticket dispensers located at pleasure craft docks or Paypal on the Seaway Web site. At U.S. locks, the toll is paid in U.S. funds or the pre-established equivalent in Canadian funds or through payment via Pay.gov on the Seaway Web site.

(c) Fees for Seaway arranged security guard in compliance with Transport Canada Security regulations shall be paid in Canadian funds within 30 days of billing.

(d) Vessel representatives with past due toll accounts, unpaid after 45 days, may be subject to the suspension of preclearance for each vessel of which a preclearance has been given and/or the immediate removal of the waved security for the toll charges set in § 401.26(c) and § 401.26(d).

[61 FR 19552, May 2, 1996, as amended at 65 FR 52915, Aug. 31, 2000; 66 FR 15329, Mar. 16, 2001; 70 FR 12973, Mar. 17, 2005; 74 FR 18995, Apr. 27, 2009; 79 FR 12661, Mar. 6, 2014]

### § 401.76 In-transit cargo.

Cargo that is carried both upbound and downbound in the course of the same voyage shall be reported in the Seaway Transit Declaration Form, but is deemed to be ballast and not subject to toll assessment.

### § 401.77 [Reserved]

#### INFORMATION AND REPORTS

### § 401.78 Required information.

(a) Documentary evidence, comprising inspection certificates, load line certificates, crew lists, dangerous cargo manifest and the cargo stowage plan, shall be carried on board and

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shall be made available to any officer requiring production of such evidence.

(b) Documentary evidence, comprising evidence of cargo declared, cargo manifest, dangerous cargo manifest and bills of lading, shall be kept by the agent, owner or operator for a period of five years, or until an audit has been performed by the Corporation or the Manager, whichever occurs first, and such documents shall be made available to an officer requiring production of such evidence.

(68 Stat. 93–96, 33 U.S.C. 981–990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95–474, 92 Stat. 1471)

[45 FR 52380, Aug. 7, 1980, as amended at 65 FR 52915, Aug. 31, 2000]

### § 401.79 Advance notice of arrival, vessels requiring inspection.

(a) *Advance notice of arrival.* All foreign flagged vessels intending to transit the Seaway shall submit one complete electronic Notice of Arrival (NOA) prior to entering at call in point 2 (CIP 2) as follows:

(1) If your voyage time to CIP 2 is 96 hours or more, you must submit an electronic NOA 96 hours before entering the Seaway at CIP 2.

(2) If your voyage time to CIP 2 is less than 96 hours, you must submit an electronic NOA before departure, but at least 24 hours before entering the Seaway at CIP 2.

(3) If there are changes to the electronic NOA, submit them as soon as practicable but at least 12 hours before entering the Seaway at CIP 2.

(4) The NOA must be provided electronically following the USCG National Vessel Movement Center's (NVMC) procedures (<http://www.nvmc.uscg.gov>).

(5) To complete the NOA correctly for Seaway entry, select the following:

- (i) “CIP 2” as the Arrival Port,
- (ii) “Foreign to Saint Lawrence Seaway” as the Voyage Type, and
- (iii) “Saint Lawrence Seaway Transit” as the Arrival State, City and Receiving Facility.

(b) *Vessels requiring inspection or reinspection.* All pre-cleared vessels must provide a 24 hour notice of inspection as follows:

(1) *Enhanced Seaway inspection.* All foreign flagged vessels and vessels of

unusual design are subject to a Seaway inspection prior to initial transit of the Seaway each navigation season.

(2) *Inland self-inspection.* Inland domestic vessels which are approved by the Seaway and are ISM certified and have a company quality management system, must submit the "Self-Inspection Report", every 2 navigation seasons and not later than 30 days after "fit out".

(3) Inland domestic vessels not participating in the "Self-Inspection Program" are subject to Seaway inspection prior to every transit of the Seaway.

(4) Tug/barge combinations not on the "Seaway Approved Tow" list are subject to Seaway inspection prior to every transit of the Seaway unless provided with a valid Inspection Report for a round trip transit.

(5) A tall ship or vessel of an unusual design is subject to Seaway yearly inspection.

[77 FR 40805, July 11, 2012, as amended at 78 FR 16182, Mar. 14, 2013; 79 FR 12661, Mar. 6, 2014]

#### § 401.80 Reporting dangerous cargo.

(a) The master of any explosive vessel or hazardous cargo vessel shall report to a Seaway station, as set out in Schedule III, the nature, quantity, and IMO classification of the dangerous cargo and where it is stowed on the vessel.

(b) The master of any vessel, that takes on explosive or hazardous cargo while in the Seaway, shall report to the nearest Seaway station at least four hours prior to commencing transit from a port, dock or wharf, the nature, quantity and IMO classification of the dangerous cargo and where it is stowed on the vessel.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[48 FR 20691, May 9, 1983]

#### § 401.81 Reporting an accident.

(a) Where a vessel on the Seaway is involved in an accident or a dangerous occurrence, the master of the vessel shall report the accident or occurrence, pursuant to the requirements of the Transportation Safety Board Regula-

tions, to the nearest Seaway station and Transport Canada Marine Safety or U.S. Coast Guard office as soon as possible and prior to departing the Seaway system.

(b) Where a vessel approaching the Seaway with intent to transit has been involved in an accident in the course of its last voyage that might affect its ability to transit safely and expeditiously, the master of the vessel shall report the accident to the nearest Seaway station before entering the Seaway.

[39 FR 10900, Mar. 22, 1974, as amended at 40 FR 11721, Mar. 13, 1975; 65 FR 52915, Aug. 31, 2000; 70 FR 12973, Mar. 17, 2005; 71 FR 5607, Feb. 2, 2006; 74 FR 18995, Apr. 27, 2009]

#### § 401.82 Reporting mast height.

A vessel, any part of which extends more than 33.5 m above water level, shall not transit any part of the Seaway until precise information concerning the height of the vessel has been furnished to the nearest Seaway station.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[48 FR 20691, May 9, 1983]

#### § 401.83 Reporting position at anchor, wharf, etc.

A vessel anchoring in a designated anchorage area, or elsewhere, and a vessel mooring at a wharf or dock, tying-up to a canal bank or being held on a canal bank in any manner shall immediately report its position to the traffic controller and it shall not resume its voyage without the traffic controller's permission.

[73 FR 9954, Feb. 25, 2008]

#### § 401.84 Reporting of impairment or other hazard by vessels transiting within the Seaway.

While transiting the Seaway, the master of a vessel shall immediately report to the nearest Seaway station:

(a) Any condition of the vessel that might impair its ability to transit safely and expeditiously;

(b) Any hazardous condition of the vessel;

(c) Any malfunction of equipment on the vessel